

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JP MORGAN CHASE BANK, N.A.,

Case No. 08-13845

Plaintiff,

Avern Cohn
United States District Judge

vs.

LARRY J. WINGET, *et al.*,

Michael Hluchaniuk
United States Magistrate Judge

Defendants.

**SCHEDULING ORDER AND ORDER
REQUIRING COMPLIANCE WITH LOCAL RULE 7.1**

The following schedule will apply to the disposition of

**Defendants/Counter-Plaintiffs' Motion to Modify Case Management Order to
Allow the Deposition of Judy O'Neill (Dkt. 137).**

EVENT	DEADLINE
Response to Motion	DECEMBER 27, 2010
Reply to Response	JANUARY 10, 2011
Joint Statement of Resolved/ Unresolved Issues	JANUARY 14, 2011
Hearing Date	JANUARY 19, 2011 at 2:30 p.m.
Location of Hearing	U.S. District Court 600 Church Street, Room 116 Flint, MI 48502

Procedures to be Followed Regarding the Disposition of the Motion

A. The opposing party must file a response to the original motion, including a written brief, addressing the unresolved issues by the date indicated above. **Failure to do so may result in sanctions, including granting all or part of the relief requested by the moving party.** If the moving party elects to file a reply brief, it must be filed by the date indicated above.

B. The parties must meet and confer on the pending motion(s) in accordance with Local Rule 7.1 and Magistrate Judge Hluchaniuk's Civil Motion Practice Guidelines. *See,* [*http://www.mied.uscourts.gov.*](http://www.mied.uscourts.gov)

C. In the event that all disputed issues are resolved prior to the hearing, the moving party must prepare a stipulation and proposed order disposing of the motion(s), or a notice of withdrawal of the motion(s), which must be filed prior to the deadline for filing the Joint Statement of Resolved and Unresolved Issues. If any disputed issue is resolved less than 10 days before the hearing date, the moving party must immediately inform Magistrate Judge Hluchaniuk's deputy clerk by telephone of the resolution at 810-341-7850.

D. If the parties are unable to resolve their differences as the result of such conference, the moving party must prepare a written Joint Statement of Resolved and Unresolved Issues of ***no more than five pages***, which includes:

1. A certification that the movant has conferred in good faith with the

other party or parties after the filing of the motion in an effort to narrow the areas of disagreement.

2. Identification of each and every issue which remains in dispute, which should be done, whenever possible, by reference to paragraph numbers in the original motion and to relevant exhibits to the original motion.

3. The Joint Statement of Resolved and Unresolved Issues should NOT be a reiteration of the parties' briefs.

4. Do NOT attach exhibits to the Joint Statement of Resolved and Unresolved Issues that have already been submitted in support of or opposition to the motion, except as set forth in paragraph 3.

5. The respective positions of each party on every issue that remains in dispute.

6. Citations of authority that support the respective positions of each party on every issue that remains in dispute.

THIS STATEMENT MUST BE FILED WITH THE CLERK OF THE COURT ON OR BEFORE 12:00 p.m. on the date indicated above. **Failure to timely submit (or participate in) the Joint Statement of Resolved and Unresolved Issues may result in sanctions, including adjournment or dismissal of the motion as appropriate.**

E. A hearing will be held if the parties are unable to resolve all issues. If

the parties agree to have the motion(s) decided without a hearing, this may be arranged by contacting the deputy clerk.

Date: December 13, 2010

s/Michael Hluchaniuk

Michael Hluchaniuk

United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that on December 13, 2010, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: Melville W. Washburn, William T. Burgess, John E. Anding, and Thomas V. Hubbard.

s/Tammy Hallwood

Case Manager

(810) 341-7887

tammy_hallwood@mied.uscourts.gov